

December 22, 2008

VIA U.S. MAIL

**FILED**

DEC 23 2008

Clerk's Office  
N.C. Utilities Commission

Ms. Renne Vance  
Chief Clerk  
North Carolina Utilities Commission  
430 North Salisbury Street  
Dobbs Building  
Raleigh, NC 27603-5918

Re: Docket No. E-2, Sub 935 (Application by Carolina Power and Light Company, d/b/a, Progress Energy Carolinas, Inc., for Approval of Residential Solar Water Heating Pilot Program), and Docket No. E-2, Sub 937 (Application by Carolina Power and Light Company, d/b/a Progress Energy Carolinas, Inc. for Approval of Residential Solar Heating Pilot Program).

Dear Ms. Vance:

Enclosed for filing in the above-referenced dockets are the original and 30 copies of a Petition to Intervene in the above-referenced dockets by the Southern Environmental Law Center, on behalf of itself, the Natural Resources Defense Council, and the Southern Alliance for Clean Energy. By copy of this letter and enclosures I am serving the parties of record on the service list.

Yours truly,



Sarah Rispin

Enclosures

(ST)  
7-Comm  
AG  
Bennink  
Kirby  
Watson  
Hawner  
Sassone  
Kite  
Ericson  
Jones  
Gruher  
3-ps legal  
3-ps A-ctg  
2-ps E-2/ps  
3-ps Electric

DOCKET NO. E-2, Sub 935  
DOCKET NO. E-2, Sub 937

DEC 23 2008

**Clerk's Office  
N.C. Utilities Commission**

**In the Matter of :**

**Application by Carolina Power and Light  
Company, d/b/a, Progress Energy  
Carolinas, Inc., for Approval of  
Residential Solar Water Heating Pilot  
Program**

And

DOCKET NO. E-2, Sub 937

**In the Matter of:**

**Application by Carolina Power and Light  
Company, d/b/a Progress Energy  
Carolinas, Inc. Petition for Approval of  
Residential Solar Heating Pilot Program**

**SOUTHERN ENVIRONMENTAL  
LAW CENTER'S  
PETITION TO INTERVENE ON  
BEHALF OF ITSELF, NATURAL  
RESOURCES DEFENSE COUNCIL,  
AND SOUTHERN ALLIANCE FOR  
CLEAN ENERGY.**

PURSUANT TO NCUC Rules R1-19 and R8-68(d), the Southern Environmental Law Center (“SELC”), on behalf of itself, the Natural Resources Defense Council (“NRDC”), and the Southern Alliance for Clean Energy (“SACE”) files this petition to intervene in this docket. In support of this petition, the Southern Environmental Law Center states as follows:

1. SELC is a non-profit regional environmental organization, organized under the laws of the State of North Carolina. SELC is dedicated to the protection of natural resources in North Carolina and throughout the Southeast. SELC works to protect the health of North Carolina residents, including the organization's 900

individual members in the state, by advocating for energy conservation and efficiency policies and for emissions reductions at electric utility plants in North Carolina. The address of SELC's Carolinas Office is: Southern Environmental Law Center, 200 W. Franklin St., Suite 330, Chapel Hill, NC, 27516.

2. SELC has members who are customers of Progress Energy Carolinas. SELC and its members are interested in promoting greater reliance on energy conservation and efficiency measures to meet North Carolina's energy needs.

3. SELC seeks to intervene in this proceeding in order to ensure that its members' interests in promoting energy efficiency are represented.

4. NRDC is a nonprofit corporation organized under the laws of the State of New York. NRDC is a national environmental organization with over 30 years experience working on state energy policy, including utility regulation and energy efficiency. NRDC has a strong interest in ensuring that North Carolina adopts environmentally sound and sustainable energy policies.

5. NRDC's members include customers of Progress Energy Carolinas who use electric power in their homes and businesses. NRDC and its members are interested in promoting greater reliance on energy conservation and efficiency resources to meet North Carolina's energy needs.

6. NRDC seeks to intervene in this proceeding in order to promote cost-effective energy efficiency while protecting the environment.

7. SACE is a nonprofit corporation organized under the laws of the State of Tennessee. The North Carolina Office of SACE is located at 29 North Market Street, Suite 409, Asheville, NC 28801. One purpose of SACE is to advocate for

energy planes, policies and systems that best serve the environmental, public health, and economic interests of the communities in the Southeast.

8. SACE has members who are customers of Progress Energy Carolinas. SACE and its members are interested in promoting greater reliance on energy conservation and efficiency to meet North Carolina's energy needs.

9. SACE seeks to intervene in this proceeding in order to ensure that its members' interests in promoting energy efficiency are represented.

WHEREFORE, Southern Environmental Law Center, Natural Resources Defense Council, and Southern Alliance for Clean Energy pray that they be allowed to intervene in this matter.

Respectfully submitted this 22<sup>nd</sup> day of December, 2008.

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Gudrun Thompson, NC Bar No. 28829  
Southern Environmental Law Center  
200 W. Franklin Street, Suite 330  
Chapel Hill, NC 27516  
Telephone: (919) 967-1450  
Fax: (919) 929-9421



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Sarah Rispin  
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Charlottesville, VA 22902  
Telephone: (434) 977-4090  
Fax: (434) 977-1483

*Attorneys for Southern Environmental Law Center*

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION  
DOCKET NO. E-2, Sub 935  
DOCKET NO. E-2, Sub 937

DOCKET NO. E-2, Sub 935

In the Matter of :

Application by Carolina Power and  
Light Company, d/b/a, Progress  
Energy Carolinas, Inc., for Approval  
of Residential Solar Water Heating  
Pilot Program

And

DOCKET NO. E-2, Sub 937

In the Matter of:

Application by Carolina Power and  
Light Company, d/b/a Progress  
Energy Carolinas, Inc. Petition for  
Approval of Residential Solar  
Heating Pilot Program

VERIFICATION

**FILED**  
**DEC 23 2008**  
Clerk's Office  
N.C. Utilities Commission


I, Sarah Rispin, Attorney for the Southern Environmental Law Center, verify that the contents of the Southern Environmental Law Center's Motion to Intervene in these matters on behalf of itself, the National Resources Defense Council, and the Southern Alliance for Clean Energy, are true to the best of my knowledge, except as to those matters stated on information and belief, and as to those matters, I believe them to be true. I am authorized to sign this verification on behalf of the above mentioned petitioners.

  
Sarah Rispin

Date 12/22/08

City of Charlottesville, Commonwealth of Virginia

Sworn to and subscribed before me,  
the 22<sup>nd</sup> day of December, 2008.

 Mary Alvina LaTourelle, Reg # 7210030  
City of Charlottesville, Commonwealth of Virginia  
Notary Public

My commission expires: July 21, 2012



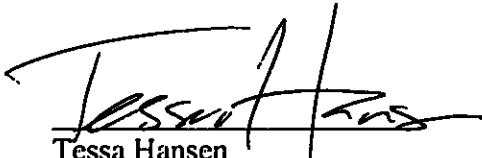
## CERTIFICATE OF SERVICE

I hereby certify that the following persons on the docket mailing list have been served with Southern Environmental Law Center's Petition to Intervene on behalf of itself, Natural Resources Defense Council, and Southern Alliance for Clean Energy, by deposit in the U.S. Mail, postage prepaid:

Len S. Anthony  
Deputy General Counsel  
Progress Energy Carolinas, Inc., Carolina  
Power and Light Co.  
PO Box 1551 PEB 17A4  
Raleigh, NC 27602-1551

Antoinette R. Wike  
Chief Counsel – Public Staff  
North Carolina Utilities Commission  
4326 Mail Service Center  
Raleigh, NC 27699

This 22<sup>nd</sup> day of December, 2008.



Tessa Hansen  
Legal Assistant